

>>> Clerk Info 7/20/2006 8:36 AM >>>

>>> "Housesmithe Home Inspection" <[hsmtheco@iserv.net](mailto:hsmtheco@iserv.net)> 7/19/2006 9:32:03 PM >>>  
Hello,

Recently, the Kalamazoo Gazette ran a story regarding jury reforms, and stated that the MSC was seeking input. First, I will tell you that they did not get your e-mail address right, and it was good that it was available on the MSC website, as I otherwise may not have commented.

I was called for jury duty in Kalamazoo County this past spring. It was not encouraging for me at all. From the start, it was obvious that serving was going to be loaded with problems, which affected my mindset. Parking was not close by. It was not paid for, and it was not secure - any idiot not happy with a verdict could easily have had a field day when the jurors headed for their cars.

The chief judge addressed the jury pool, and based on what he said, it was clear that he had not the slightest clue as to the real foundations of our American court system. That bothered me, a lot. Then the jury pool was shown a video - after the televisions were finally up and running. All of this contributed to a mindset that this was not conducive to deliberating facts of any case, and the level of incompetence and problems made me worried for anyone seeking justice in the court that day.

Then came jury selection. At the outset, I thought it might be interesting to serve. Then I began listening to the questions put to the jury pool, the excuses accepted, and it became very clear to me that the jury that would be seated would not be one of independent thinkers and people that would tend to ask questions and search for the truth. Added to that my experiences in the community, knowing too much about many of the prospective jurors in the pool, and I had grave concerns. My attitude switched to hope that I would not be seated.

Juries need to be able to ask questions. Lots of questions. Attorneys need to be restricted from dismissing people who might have some real knowledge about certain types of cases, because those are the people who are more likely to really get down to the facts and make a decision based on the facts of the case. I was extremely frustrated after my jury pool experience, because it became clear to me that the court was not about justice and finding the truth. It bothered me so much that I had to take a day off. Paneling competent jurors is important to appropriate case outcomes and limiting frivolous torts.

I think it would be good to allow juries to discuss the case as it progresses. Jurors must absolutely be allowed to take notes, and those notes should be their own private property, and should be allowed any where the juror is, including the deliberation room. Those notes should go home with the juror when the case is completed, for future reference of the juror. The idea of jurors submitting questions to witnesses in civil cases is very good. Jurors should be allowed to submit any question of fact or opinion to any witness on any case, regardless. They should also be allowed to submit questions directly to parties in a case. Expert testimony should be scheduled sequentially, but panel discussions should NOT be allowed. Experts should be interviewed one at a time, by the court and the jury, and recalled as necessary. Panel discussions can get too messy and it can be hard to follow. Excessive delays should not be allowed. Attorneys should be REQUIRED to provide witness lists, evidence tables, and etc. to jurors for reference. I do not know what other changes are suggested or proposed, but that is my comment based on the Kalamazoo Gazette article.

Thank you

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